



State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

March 19, 2007

Mr. Todd D. Weiler, Esq.
Counsel for Bluffdale City
Parry Anderson & Gardiner
1200 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111

Re: Mining Operations in Bluffdale City, Bluffdale Sand & Gravel, S0350022, T & M Holdings Mine/ Decorative Landscaping, S0350023, Mark Miller, Expectation Mine, S0350024, Worthington, Landscape, S0350025, Salt Lake County, Utah

Dear Mr. Weiler:

This letter is in response to your March 13, 2007, letter and is intended to provide you an update of the actions the Division has taken with regard to mining activity in the vicinity of Bluffdale City.

Last September, the Division notified each of the above-referenced operations about Bluffdale City's concerns and required that they contact the city to work out the issues of non-compliance. Since that time, each of the Operators has expressed concern about the difficulty in contacting anyone from the city and that they have been unable to reach anyone that could help them resolve their compliance problems. Our own inspector for that area tried numerous times to contact Bluffdale City and left numerous messages and was only able to talk to one individual one time and who never did follow up after the discussion.

With regard to new mining activities, besides the four operators listed above, the Division has permits with three other operators in this general area, listed as follows. 1) West Side Mine S0350032, operated by DJN Rockwalls 2) South Farm S0350030, operated by R A Johnson Excavating Inc. and 3) Donna Gibson Mine S0350028, operated by J P & R Excavating Inc.

The Division continues to work with all of these operators, and each has submitted the required Notice of Intent along with the required reclamation surety and reclamation contract. We will continue to monitor each mining operation to ensure that they comply with the Utah Mined Land Reclamation Act and our R647 mining rules, however we cannot enforce all of the rules or ordinances of other agencies or municipalities. Bluffdale City rather than the Division would be better

Page 2
Todd D. Weiler
S0350022
March 19, 2007

suited to enforce its own zoning ordinances. The Division is willing to work with and support Bluffdale City in ordering the mining to cease if the City successfully pursues action to enforce the zoning ordinances, but we are aware that this has been an issue of dispute and until it is resolved we are not in a position to prohibit the permitted activities.

We remain concerned about these mining operations, and hope that we can work together to ensure a viable and compliant mining industry in the State of Utah.

Please call me at (801) 538-5325 if I can be of further assistance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Daron R. Haddock". The signature is fluid and cursive, with the first name "Daron" being more prominent.

Daron R. Haddock
Permit Supervisor

DRH/pb

cc: Mary Ann Wright
Steve Alder
Paul Baker

P:\GROUPS\MINERALS\WP\M035-SaltLake\bluffdaleltr.doc